



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Donald C. Brey, Esq.
Taft Stettinius & Hollister LLP
65 East State Street, Suite 1000
Columbus, OH 43215-4213

MAR 13 2015

RE: MUR 6494
Joseph Braun

Dear Mr. Brey:

Enclosed please find the Factual and Legal Analysis, which more fully explains the Commission's decision in this matter. This document will be placed on the public record as part of the file in MUR 6494 when that matter is closed as to all respondents. The Commission reminds you that the confidentiality provisions of 52 U.S.C. § 30109 (a)(12)(A) (formerly 2 U.S.C. § 437g(a)(12)(A)) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. A. Powers", is written over a horizontal line.

William A. Powers
Assistant General Counsel

Enclosure
Factual and Legal Analysis

1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

3 **RESPONDENT:** Joseph Braun

MUR 6494

4
5
6 **I. GENERATION OF MATTER**

7
8 **GENERATION OF MATTER**

9
10 This matter was generated by a Complaint filed with the Federal Election Commission
11 (the "Commission"). See 52 U.S.C. § 30109(a)(1) (formerly 2 U.S.C. § 437g(a)(1)).¹

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 Complainant alleges that Joseph Braun, former Assistant Treasurer to Representative
14 Jeannette Schmidt's principal campaign committee, the Schmidt for Congress Committee (the
15 "Committee"), violated 52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)) in his personal
16 capacity when the Committee failed to disclose to the Commission payments by the Turkish
17 Coalition of America through the Turkish American Legal Defense Fund ("TALDF") for legal
18 services provided to Representative Schmidt and the Committee. A joint response filed by
19 Braun, among others argues that the Committee was not a party to the four legal proceedings,
20 and that the legal services that TALDF provided were not "in connection with" an election and
21 not "for the purposes of influencing" an election.²

22 All political committees are required to file reports of their receipts and disbursements.³

23 These reports must itemize all contributions received from contributors that aggregate in excess

¹ On September 1, 2014, the Federal Election Campaign Act of 1971, as amended (the "Act"), was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

² Braun Resp. at 3-4, 6-7 (Nov. 2, 2011).

³ 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)).

1 of \$200 per election cycle.⁴ Any in-kind contribution must also be reported as an expenditure on
2 the same report.⁵

3 Among its allegations, the Complaint alleges that Braun, the Committee's former
4 Assistant Treasurer, violated the Act in his personal capacity because the Committee's reports
5 did not include the receipt of the prohibited in-kind contributions.⁶ There is no information to
6 suggest that Braun, in his personal capacity, violated the Act.⁷

7 Accordingly, the Commission finds no reason to believe that these individuals violated
8 52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)).

⁴ *Id.* § 30104(b) (formerly 434(b)); 11 C.F.R. § 104.3(a)(4).

⁵ 11 C.F.R. §§ 104.3(b), 104.13(a)(2).

⁶ Compl. at 15-16.

⁷ *See Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings*, 70 Fed. Reg. 3 (Jan. 3, 2005).